

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Wild Goose Storage, Inc. to  
Amend its Certificate of Public Convenience and  
Necessity to Expand and Construct Facilities for  
Gas Storage Operation.

Application 01-06-029  
(Filed June 18, 2001)

**ASSIGNED COMMISSIONER'S RULING GRANTING  
ORA'S MOTION FOR AN ORDER TO PRODUCE DOCUMENTS**

By motion filed December 27, 2001, the Office of Ratepayer Advocates (ORA) requests an order that Wild Goose Storage, Inc. (Wild Goose) provide it copies of the binding precedent agreements for natural gas storage at the proposed expansion project that is the subject of this proceeding. As ordered by the assigned Administrative Law Judge in the course of the Phase I evidentiary hearings, Wild Goose provided these precedent agreements to the Commission under General Order 66-C and Pub. Util. Code § 583 for use by the Commission's Energy Division and by Commissioners' offices. ORA did not request copies of the precedent agreements at that time, but does so now, relying on its broad statutory discovery rights.

Pacific Gas and Electric Company (PG&E) supports ORA's motion. Wild Goose opposes, arguing that ORA overestimates its discovery rights and should be obliged to explain its desire to review the precedent agreements at this stage of the proceedings. Wild Goose contends, in essence, that since its proposed expansion, like its operating storage facility, would offer market-based rates to non-core customers who are not "captive," but have other gas storage options,

the precedent agreements concern matters outside ORA's mission, as articulated in Pub. Util. Code § 309.5(a). Recently, in Decision (D.) 01-08-062, the Commission determined:

ORA's rights to obtain information from utilities pursuant to [Pub. Util. Code] §§ 314 and 309.5 do not require the existence of a related proceeding and *may be exercised at any time for any purpose related to its scope of work*. (D.01-08-062, Conclusion of Law 3, emphasis added.)

Wild Goose construes "the scope of [ORA's] work" too narrowly. Considering the issues identified in this proceeding, including, among other things, the cost allocation of any future expansion of the PG&E backbone system (relegated to Phase III or to a subsequent generic proceeding<sup>1</sup>), ORA's request for copies of the precedent agreements is reasonable. For the purposes of this proceeding, it is unnecessary to further define "the scope of [ORA's] work". Within five (5) business days, Wild Goose shall provide copies of the precedent agreements to ORA under General Order 66-C and Pub. Util. Code § 583.

**IT IS RULED** that:

1. The December 27, 2001 motion of Office of Ratepayer Advocates (ORA) for an order directing Wild Goose Storage, Inc. (Wild Goose) to provide ORA with copies of the binding precedent agreements for natural gas storage at the proposed expansion project is granted.

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<sup>1</sup> See Scoping Memo and Ruling, issued August 29, 2001 in this proceeding.

2. Within five (5) business days, Wild Goose shall provide copies of the precedent agreements to ORA under General Order 66-C and Pub. Util. Code § 583.

Dated January 25, 2002, at San Francisco, California.

/s/ RICHARD A. BILAS

Richard A. Bilas  
Assigned Commissioner

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Ruling Granting ORA's Motion for an Order to Produce Documents on all parties of record in this proceeding or their attorneys of record.

Dated January 25, 2002, at San Francisco, California.

/s/ ERLINDA PULMANO  
Erlinda Pulmano

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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